

REMARKS/ARGUMENTS

Applicant thanks Examiner for the detailed Office Action dated January 20, 2006. In response to the issues raised, the Applicant offers the following submissions and Terminal Disclaimer linking the term and ownership of any patent granted on the present application to that of co-pending USSN 10/728,806.

Claims – 'Areal'

Claims 10 and 29 are objected to because of the term 'areal'. We submit that the term has a plain English meaning and it has been used correctly in claims 10 and 29 as an adjective to characterize the type of nozzle density being defined in the claim. According to its dictionary meaning, 'areal' is an adjective meaning – 'of or relating to or involving an area'. The skilled addressee would readily understand that this term describes the nozzle density to be a reference to the number of nozzles per unit of substrate area. It would be grammatically incorrect, and therefore detract from the clarity of these claims, if the term were amended to 'area'. Accordingly, we submit that claims 10 and 29 do not require amendment.

Nonstatutory Double Patenting

The enclosed Terminal Disclaimer links the term and ownership of any patent granted on the present application to that of co-pending USSN 10/728,806. The Applicant submits that this avoids any unjust timewise extension of patent rights or harassment from multiple assignees.

35 USC§103 – Claims 5, 23, 24, 42 and 43

Claims 5, 23, 24, 42 and 43 stands rejected as obvious in light of USSN 10/728,806 to the present Applicant.

The Applicant disagrees. The '806 application was filed the same day as the present application. Both applications have the same sole inventor and claim continuation-in-part status from US 6,755,509 filed November 23, 2002. Accordingly, '806 is not an application 'by another' and does not have an earlier effective filing date. Therefore, the disclosure in '806 cannot support a rejection under §103.

It is respectfully submitted that the Examiner's objection and rejections have been successfully traversed and the application is now in condition for allowance. Accordingly, favorable reconsideration is courteously solicited.

Very respectfully,
Applicant:



KIA SILVERBROOK

C/o: Silverbrook Research Pty Ltd
393 Darling Street
Balmain NSW 2041, Australia

Email: kia.silverbrook@silverbrookresearch.com

Telephone: +612 9818 6633

Facsimile: +61 2 9555 7762